

**NOTICE OF INTENT**  
**Office of the Governor**  
**Division of Administration**  
**Racing Commission**

The Louisiana State Racing Commission hereby gives notice that it intends to amend the following rule. Currently the Section B.4 of the rule provides that the Stewards, who have authority at the racetrack, refer particular cases to the Commission. On the following types of violations, the Commission has consistently redistributed the purse. The proposed rule amends the rule to mandate that the Stewards immediately redistribute the purse for the following: a) gross violations (severity level III) of Section ARCI Category IV/V; b) extraordinary violations (severity level II) of Section ARCI Category IV/V; and c) third violations of ARCI Category IV/V at any severity level within a twelve month period.

This proposed rule has no known impact on family formation, stability, and/or autonomy as described in R.S. 49:972.

**Title 35**  
**HORSE RACING**  
**Part I. General Provisions**  
**Chapter 17. Corrupt and Prohibited Practices**

**§1797. Penalty Guidelines**

A. ...

B. ...

1. ...

2. ...

3. ...

4. ...

a. On ordinary violation(s) of Classes IV or V within a 12-month period the trainer shall be fined \$500 on the first violation; \$1,000 on the second violation; and on the third and subsequent violations the trainer shall be fined \$1000, the purse shall be redistributed and the case referred to the commission for further action.

b. On extraordinary violation(s) of Classes IV or V in a manner that might affect the performance of a horse within a 12-month period the trainer shall be fined \$1,000 and the purse

shall be redistributed on the first offense. On the second and subsequent violations the trainer shall be fined \$1000, the purse shall be redistributed and the case referred to the commission for further action.

c. On gross violation(s) of Classes IV or V in a manner that intends to affect the performance of a horse the trainer shall be fined not less than \$1,000, the purse shall be redistributed and the case referred to the commission for further action.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:141 and R.S. 4:148.

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Racing Commission LR 19:613 (May 1993), amended by the Office of the Governor, Division of Administration, Racing Commission LR 28:1014 (May 2002), LR 30:1017 (May 2004).

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### **Family Impact Statement**

This proposed rule has no known impact on family formation, stability, and/or autonomy as described in R.S. 49:972.

### **Poverty Statement**

This proposed rule has no known impact on poverty as described in R.S. 49:973.

### **Public Comments**

The domicile office of the Louisiana State Racing Commission is open from 8:00 a.m. to 4:30 p.m., and interested parties may contact Charles A. Gardiner III, executive director, or Larry Munster, assistant executive director, at (504) 483-4000 (holidays and weekends excluded), or by fax (504) 483-4898, for more information. All interested persons may submit written comments relative to this proposed rule for a period up to 20 days exclusive of weekends and state holidays from the date of this publication to 320 North Carrollton Avenue, Suite 2-B, New Orleans, Louisiana 70119-5100.



Charles A. Gardiner III

Executive Director

8-19-2013

Date 8-19-13